

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 COME-00 EB-08 INR-07 LAB-04
NSAE-00 SIL-01 L-03 H-01 PM-04 NSC-05 SP-02 SS-15
/063 W

-----050718Z 025083 /14

R 041550Z MAR 77
FM AMEMBASSY ROME
TO SECSTATE WASHDC 3128
SECDEF WASHDC
CINCUSNAVEUR LONDON

C O N F I D E N T I A L ROME 3520

E.O. 11652: GDS
TAGS: MILI, ELAB, IT
SUBJECT: LABOR RELATIONS: U.S. FORCES IN ITALY

1. CHARGE MET MARCH 3 WITH GIUSEPPE MANZARI, COUNSEL OF OF STATE AND DIRECTOR OF MFA'S "SERVIZIO CONTENZIOSO DIPLOMATICO-TRATTATI E AFFARI LEGISLATIVI" (THE ITALIAN EQUIVALENT OF L, TREATY AND CONGRESSIONAL RELATIONS) AT LATTER'S REQUEST TO DISCUSS PROBLEM OF GROWING NUMBER OF LABOR LITIGATIONS IN ITALY AGAINST THE U.S. MANZARI HAS BEEN DESCRIBED TO US AS A CLOSE ASSOCIATE OF FORMER PM MORO AND "ONE OF THE DOZEN OR SO MOST POWERFUL MEN IN THE ITALIAN GOVERNMENT."

2. EXTREMELY CORDIAL, MANZARI OPENED DISCUSSION BY ASSERTING THAT APPARENT ROOT OF DIFFICULTY WAS DIFFERING INTERPRETATIONS OF THE VIENNA CONVENTION BY THE U.S. AND ITALY. AS A RESULT, U.S. LABOR PRACTICES IN ITALY, PARTICULARLY REGARDING SOCIAL SECURITY, WERE NOT CONGRUENT WITH ITALIAN LAW. HIS PURPOSE, HE INDICATED, WAS TO TRY TO FIND A FORMULA THROUGH WHICH (THOUGH HE REALIZED OUR DIVERGING VIEWS ON THE CONVENTION COULD NOT BE RECONCILED) WE COULD REACH AN ACCOMMODATION THAT WOULD PREVENT
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"MARGINAL" COURT CASES FROM ACCUMULATING INTO A BULK OF PROBLEMS THAT COULD AFFECT RELATIONS BETWEEN OUR TWO COUNTRIES. HE THREW OUT IN PASSING A VAGUE REFERENCE TO ESTABLISHING A PROCESS OF ARBITRATION, OR EVEN DEVELOPING A BODY OF EXPERIENCE THAT COULD LEAD THE GOVERNMENT TO RESORT TO THE PARLIAMENT. HE MENTIONED ONLY ONE SPECIFIC RECENT CASE, IN NAPLES, WHERE THE JUDGMENT IN FACT WENT

AGAINST THE U.S. HE SEEMED CONTENT TO HEAR FROM THE CHARGE THAT PAYMENT OF THE CLAIM HAD BEEN APPROVED AND WOULD LIKELY SOON BE FORTHCOMING. CHARGE POINTED OUT TO MANZARI THAT RATHER THAN THE VIENNA CONVENTION THE AGREEMENTS PERTINENT IN THE FIRST INSTANCE TO LABOR RELATIONS AT U.S. MILITARY INSTALLATIONS WOULD SEEM TO BE THE NATO TREATY, THE SOFA, AND THE BILATERAL INFRASTRUCTURE AGREEMENT. IN ADDITION CHARGE REFERRED TO EMBASSY'S RECENT REQUEST FOR MINISTRY ASSISTANCE IN OBTAINING A FAVORABLE INTERPRETATION OF ITALIAN LAW THAT WOULD EXEMPT U.S. FORCES FROM LABOR LAW RESTRICTIONS ON CONTRACTING LABOR SERVICES. IN OUR OPINION, CHARGE INDICATED, EXEMPTION ACCORDED ITALIAN GOVERNMENT AS A NON-PROFIT MAKING ENTERPRISE SHOULD ALSO APPLY TO OUR OFFICIAL PRESENCE IN ITALY. THE MINISTRY WAS NOT HELPFUL IN THAT CASE. MANZARI FAILED TO REACT TO EITHER OBSERVATION.

3. WHAT SEEMED CLEAR IN THIS COLLGUY WAS THAT MANZARI WAS NOT WELL BRIEFED ON THE ISSUES. THE CHARGE OFFERED TO PROVIDE HIM WITH SOME DOCUMENTATION ON THE MAJOR CASES NOW IN LITIGATION THAT ILLUSTRATE BOTH THE ISSUES AND OUR POSITION. MANZARI WELCOMED THE OFFER AND ASKED THAT ANY DOCUMENTATION WE COULD ASSEMBLE BE SENT INFORMALLY DIRECTLY TO HIM. WE WILL BE GETTING MATERIAL TO HIM WITHIN THE NEXT FEW DAYS.

4. THE MOST INTERESTING ASPECT OF THE MEETING IS THAT IT TOOK PLACE AND AT MANZARI'S INITIATIVE. GIVEN HIS REPUTED BEHIND THE SCENES WEIGHT IN THE GOVERNMENT IT SUGGESTS
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THAT THERE IS GENUINE CONCERN AND THAT THERE WILL BE AN EFFORT WHICH WE ARE NOT LIKELY TO BE ABLE TO FINESSE EVEN IF WE WANT TO. THE ATTENTION MANZARI WANTS TO GIVE TO OUR LABOR PROBLEMS OBVIOUSLY ENTAILS SOME RISK, THERE IS THE STRONG PROBABILITY THAT THE GOI WOULD WANT TO ASSURE HARMONIOUS LABOR RELATIONS AT ANY PRICE -- WHICH WE WOULD PAY. ON THE OTHER HAND, THERE IS A GOOD POSSIBILITY THAT HIS INITIATIVE WILL OFFER OPPORTUNITIES TO ESTABLISH SOME CONDITIONS MORE FAVORABLE TO THE U.S. FORCES. IN ANY EVENT, UNTIL THE EDUCATION OF MANZARI IS MORE COMPLETE AND WE ARE MORE CERTAIN OF WHAT HE WANTS, IT IS DIFFICULT TO PREDICT WHICH WILL OUTWEIGH THE OTHER.

5. MEANWHILE, THE MISSION WILL AS SOON AS POSSIBLE HOLD A MEETING AMONG U.S. OFFICIALS IN ITALY WHO CAN CONTRIBUTE TO FURTHER DOCUMENTING OUR POSITION AND HELP FORMULATE PROPOSALS FOR THE MANNER IN WHICH WE SHOULD PURSUE THE DIALOGUE BEGUN BY MANZARI. OUR

RECOMMENDATIONS WILL BE THE SUBJECT OF LATER MESSAGES.

BEAUDRY

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY PERSONNEL, LITIGATION, FOREIGN RELATIONS, MILITARY BASES, FOREIGN SERVICE LOCAL EMPLOYEES, LABOR DISPUTES
Control Number: n/a
Copy: SINGLE
Sent Date: 04-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977ROME03520
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770076-0635
Format: TEL
From: ROME
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770392/aaaaddbg.tel
Line Count: 118
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: f1b5adbd-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 10-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3206175
Secure: OPEN
Status: NATIVE
Subject: LABOR RELATIONS: U.S. FORCES IN ITALY
TAGS: MILI, ELAB, PDIP, IT, US
To: STATE DOD
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/f1b5adbd-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009